

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

CHRISTIAN RUSSELL,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:22-cv-10503

Honorable Thomas L. Ludington
United States District Judge

Honorable Curtis Ivy, Jr.
United States Magistrate Judge

**ORDER ADOPTING REPORT AND RECOMMENDATION, DENYING PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT, GRANTING DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT, AFFIRMING COMMISSIONER'S DECISION, AND
DISMISSING COMPLAINT WITH PREJUDICE**

In this social-security case, Magistrate Judge Curtis Ivy, Jr. issued an R&R on January 25, 2023, recommending that this Court deny Plaintiff Christian Russell's Motion for Summary Judgment, grant Defendant Commissioner of Social Security's Motion for Summary Judgment, and affirm the Commissioner's decision denying Plaintiff's application for disability benefits. ECF No. 22.

Although Judge Ivy said the Parties may object to and seek review of the R&R within 14 days of service, neither Party objected. They have therefore waived their right to appeal Judge Ivy's findings. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that Judge Ivy's Report and Recommendation, ECF No. 22, is **ADOPTED**.

Further, it is **ORDERED** that Plaintiff's Motion for Summary Judgment, ECF No. 18, is **DENIED WITH PREJUDICE**.

Further, it is **ORDERED** that Defendant's Motion for Summary Judgment, ECF No. 19, is **GRANTED**.

Further, it is **ORDERED** that the Decision of the Commissioner of Social Security is **AFFIRMED**.

Further, it is **ORDERED** that the Complaint, ECF No. 1, is **DISMISSED WITH PREJUDICE**.

Dated: February 14, 2023

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge